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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,831	12/21/2004	Louis Montagne	FR 020053	9881
24737	7590	11/01/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LEE, JOHN D	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/518,831

Applicant(s)

MONTAGNE, LOUIS

Examiner

John D. Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0705</u> . | 6) <input type="checkbox"/> Other: ____. |

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. §§ 119 (a)-(d) or (f). All of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

The two (2) sheets of drawings filed in this application on December 21, 2004, are acceptable.

The preliminary amendment has been entered.

The disclosure has not been studied to the extent necessary to discover all possible minor errors therein. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,607,229 to Rykowski et al. Rykowski et al discloses a luminaire comprising a multi-sectored light-directing element having a light emission window for directing light from an electric light source to a system which employs the light (a display system, a projection system, automobile headlights, etc.). The shape of the Rykowski et al multi-sectored light-directing element is composed of n solids of revolution of "single circularly symmetric shape" forming an integral surface, the shape being calculated to take into account that the light source may be voluminous (i.e. has a large circular cross-section). By definition, the solids of revolution of "single circularly symmetric shape" would include spheroids, ellipsoids, paraboloids, etc. Rykowski et al does not disclose

that the light-directing element directs the light into an optical fiber system. Since, however, elliptical and parabolic light directing elements are commonly used for directing light into optical fibers, fiber bundles, and optical fiber-based systems, because of their mathematically precise light directing abilities, the person of ordinary skill in the art would have found it obvious to use the Rykowski et al multi-sectored light-directing element for directing light into an optical fiber system. As for the specifics of applicant's claim 3, applicant as much as admits (on pages 2 and 3 of the instant specification) that the relationships set forth in the claims are relatively simple and easy calculations for designing the adjoining sectors of the multi-sectored light-directing element. These mathematical relationships would thus have been obvious to a person of ordinary skill in the art. Claims 9 and 10 do not add any specific structural limitations, so that Rykowski et al is applicable to these claims as well. The "shaped housing" of claim 10 is not even defined, since a "saw-cut recess" is not a specific shape.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other light-directing elements utilizing parabolic and/or elliptic surface or surface sections can be seen in U.S. Patent 5,971,571 to Rose, U.S. Patent 6,385,371 to Li, and U.S. Patent 6,418,253 to Whitehead.

All of the prior art documents cited by applicant in the Information Disclosure Statement filed on July 15, 2005, have been considered and made of record. Note the attached initialed copy of form PTO-1449.

Any inquiry concerning the merits of this communication should be directed to Examiner John D. Lee at telephone number (571) 272-2351. The Examiner's normal work schedule is Tuesday through Friday, 6:30 AM to 5:00 PM. Any inquiry of a

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general or clerical nature (i.e. a request for a missing form or paper, etc.) should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562, to the technical support staff supervisor (Team 8) at telephone number (571) 272-1564, or to the Technology Center 2800 Customer Service Office at telephone number (571) 272-1626.


John D. Lee
Primary Patent Examiner
Group Art Unit 2874